

10/575295  
 12 APR 2006  
 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : ROY CHRISTIAAN MONTIJN, ET AL.  
 Application No. :  
 Filed : Herewith  
 Confirmation No. :  
 For : METHOD OF CLASSIFYING CHEMICAL AGENTS AND  
 IDENTIFYING CELLULAR TARGETS THEREOF  
 Examiner :  
 Attorney's Docket : VER-206XX

TC Art Unit:

\*\*\*\*\*  
 I hereby certify that this correspondence is being deposited with the  
 United States Postal Service as first class mail in an envelope  
 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
 22313-1450 on \_\_\_\_\_.

By: \_\_\_\_\_

Registration No.  
 Attorney for Applicant(s)

\*\*\*\*\*

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

It is desired to cite for the record in this application the  
 enclosed references listed on the attached copy of PTO Form #1449. The  
 paragraph(s) marked below are applicable to this Information Disclosure  
 Statement.

- [X] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached  
 Information Disclosure Statement is being filed within three  
 months of the filing date of the above identified national  
 application or within three months of the date of entry of the  
 national stage as set forth in 37 C.F.R. § 1.491 of the above  
 identified application. Accordingly, applicant(s) believes that  
 no fee or statement under 37 C.F.R. § 1.97(e) is required.

- [ ] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- [ ] (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- [ ] (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:
- [ ] a statement under 37 CFR § 1.97(e); or
  - [ ] the fee set forth in § 1.17(p).

PETITION UNDER 37 CFR § 1.97(d)

- [ ] (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)

- [ ] (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e)(2)

- [ ] (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure Statement was known to any individual designated in 37 C.F.R. §

1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Where the status of the application, has changed, unknown to the applicant, such that the boxes checked are no longer applicable, the Commissioner is authorized to accept this submission with any additional fees required by that change charged to Deposit Account No. 23-0804.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made. The filing of this Information Disclosure Statement is not to be construed to be an admission that the information cited herewith is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that Applicant(s) is(are) unable to provide an affidavit under 37 CFR §1.131 swearing back of such information.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

These references were cited in an International Search Report (copy enclosed) which issued in International Application No. PCT/NL2004/000719 filed October 13, 2004.

10/575295

Attorney Docket No.: VER-206XX

Filed: Herewith

TC Art Unit:

Confirmation No.:

APR 20 2006 12 APR 2006

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

ROY CHRISTIAAN MONTIJN, ET AL.

By: 

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CLG/mc/334945.1  
Enclosure

Date: April 12, 2006

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U.S. DEPARTMENT OF COMMERCE (REV. 05/03) PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				ATTY. DOCKET NO.  VER-206XX		APPLICATION NO.  10/375295	
				APPLICANT: Roy Christiaan Montijn, et al.			
				FILING DATE Herewith		TC ART UNIT	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL	DOCUMENT NUMBER	PUBLICATION/ ISSUE DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	US						
<b>FOREIGN PATENT DOCUMENTS</b>							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	WO 90/09096	08-1990	WIPO			X	
<b>OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)</b>							
	Ng Wai-Leung et al.: "Transcriptional regulation and signature patterns revealed by microarray analysis of <i>Streptococcus pneumoniae</i> P6 challenged with sublethal concentrations of translation inhibitors." JOURNAL OF BACTERIOLOGY, vol. 185, no. 1, January 2003, pages 359-370.						
	Chan, P.F. et al.: "Microarray gene expression profiling to study the mode of action of DNA replication class of inhibitors in <i>Staphylococcus aureus</i> ." ABSTRACTS OF THE GENERAL MEETING OF THE AMERICAN SOCIETY FOR, vol. 102, 2002, page 9. 102 <sup>nd</sup> General Meeting of the American Society for Microbiology; Salt Lake City, UT, US; May 19-23, 2002.						
	Moir D.T. et al.: "Microarray detection of gene expression profiles in <i>Staphylococcus epidermidis</i> ." ABSTRACTS OF THE INTERSCIENCE CONFERENCE ON ANTIMICROBIAL AGENTS AND, vol. 41, 2001, page 249. 41 <sup>st</sup> Annual Meeting of the Interscience Conference on Antimicrobial Agents and Chemotherapy; Chicago, Illinois, US; September 22-25, 2001.						
	Hamadeh, Hisham K. et al.: "Gene expression analysis reveals chemical-specific profiles," TOXICOLOGICAL SCIENCES, vol. 67, no. 2, June 2002, pages 219-231.						
	Hughes T.R. et al.: "Functional discovery via a compendium of expression profiles," CELL, CELL PRESS, Cambridge, MA, US, vol. 102, no. 1, 7 July 2000, pages 109-126.						
	Robertson, Gregory T. et al.: "Global transcriptional analysis of clpP mutations of type 2 <i>Streptococcus pneumoniae</i> and their effects on physiology and virulence" JOURNAL OF BACTERIOLOGY, vol. 184, no. 13, July 2002, pages 3308-3520.						
	Duplicate of 3/23/07 IDS						
EXAMINER /Dwan Gerido/				DATE CONSIDERED 05/25/2009			
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

CLG/mc/334962.1

REFERENCES FURNISHED BY INTERNATIONAL BUREAU (PCT/NL2004/000719 filed 13 Oct. 2004)